Solicitor General Canada
Solliciteur général Canada

REPORT OF THE TASK FORCE TO STUDY THE RECOMMENDATIONS OF THE INQUEST INTO THE DEATH OF CELIA RUYGROK

Canada

June 30, 1987

MINISTRY OF THE SOLICITOR GENERAL OF CANADA

REPORT OF THE TASK FORCE TO STUDY THE RECOMMENDATIONS OF THE INQUEST INTO THE DEATH OF CELIA RUYGROK

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MEMORANDUM **NOTE DE SERVICE**

TO / A: Solicitor General

FROM / DE: Inquest Task Force

SECURITY - CLASSIFICATION - DE SÉCURITÉ	
OUR FILE - N / RÉFÉRENCE	
YOUR FILE - V / RÉFÉRENCE	
DATE	June 30, 1987

SUBJECT / OBJET: ***REPORT OF THE TASK FORCE***

In May of this year, you directed the formation of a Task Force to study, when received, the findings and recommendations of the Coroner's Inquest into the death of Celia Ruygrok. The Task Force was to be comprised of the Chairman of the National Parole Board, the Commissioner of the Correctional Service of Canada, and the Deputy Solicitor General acting as Task Force Chairman.

The mandate of the Task Force was to review the recommendations of the Coroner's jury and any related issues which emerged during the Inquest, and to report to you. The report resulting from this review was to indicate what action was required, and to propose, where appropriate, an action plan. Where recommendations required no action or action outside the scope of this Ministry's jurisdiction, an explanation was to be provided.

The jury's recommendations were issued and received on May 22, 1987 and the Task Force was directed to report to you by June 30, 1987.

We attach hereto our report.

Commissioner of Corrections

Deputy Solicitor General
Task Force Chairman

Chairman
National Parole Board

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I. INTRODUCTION

Background

Celia Ruygrok was murdered on July 6, 1985 while working as an overnight supervisor at Ottawa's Kirkpatrick House, a Community Residential Centre (CRC) operated by the John Howard Society of Ottawa. Allan James Sweeney, a resident at the House, was arrested the same day and charged with first degree murder.

Mr. Sweeney was convicted of the charge and on December 6, 1986 received a life sentence with no eligibility for parole for 25 years. His conviction is presently under appeal.

At the time of the murder of Ms. Ruygrok, Mr. Sweeney was on parole from penitentiary, having been sentenced in October 1975 at 19 years of age to life imprisonment, upon a conviction for non-capital murder. In April 1975 in Sault Ste. Marie a twenty-seven year-old female neighbour of Mr. Sweeney and his family was found dead, having been stabbed and left in a sleeping bag in the living room of her home.

Prior to the Sault Ste. Marie offence, Mr. Sweeney's adult criminal record consisted of break, enter and theft, and attempted break and enter.

Throughout Mr. Sweeney's incarceration, his behaviour was generally described in positive terms. Good psychological reports coupled with favourable performance reports resulted in increased privileges and gradual release opportunities, including escorted and unescorted temporary absence passes over a 2 year period. A release plan to the Kirkpatrick House in Ottawa was developed and led to the granting of a six month day parole to the House in September 1984. In April 1985 he was granted full parole, to reside with his girlfriend of 6 years.

Throughout May of 1985, the stability of Mr. Sweeney's parole performance deteriorated. His parole was suspended on May 31, 1985, but reinstated on June 21, 1985, with a requirement that he return to residing at Kirkpatrick House. Ms. Ruygrok was murdered on July 6, 1985, after reporting to her supervisor by telephone that Mr. Sweeney had arrived at the House acting strangely.

On January 29, 1987, the Solicitor General of Ontario announced that he was ordering an inquest into the death of Ms. Ruygrok. (Where a person has been charged with an offence arising out of a death, and that charge or any appeal pertaining thereto is pending, an inquest shall be held only upon the direction of the Solicitor General: Coroners Act, R.S.O. 1980, Chap. 93, s.27.) The inquest commenced on April 13, 1987, and lasted 6 weeks.

II. ANALYSIS OF INQUEST JURY RECOMMENDATIONS

The inquest jury rendered 29 recommendations which are attached as Annex "A" to this report. Following each recommendation in the Annex is a Task Force comment and indication of action taken, planned and/or recommended.

The jury's recommendations fall into the following six general areas of concern, each of which will be discussed at greater length later in this report.

1. Criminal Justice System

A number of recommendations call for better cooperation and coordination among various components of the criminal justice system that fall under the authority of a variety of jurisdictions. This cooperation is fundamental to many of the improvements recommended.

2. Information Collection and Communication

There is concern that all relevant information be more effectively collected as early as possible in the sentence, synthesized into a meaningful case analysis and effectively communicated to all concerned parties in a timely fashion as the case progresses. This process begins with the reception phase which is of critical importance to the success of later stages of the case management process. It is dependent in part on receiving accurate and timely information from other components of the criminal justice system.

3. Case Planning and Treatment

Following reception there is a call for more effective case planning to accurately assess offender needs, develop a program plan and to base later decisions on an assessment of the results of its implementation. The value of psychiatric assessment and treatment is emphasized by the inquest jury.

4. National Parole Board Decision-Making

The jury stresses the need for more accurate and timely information to assist the Parole Board in making release and revocation decisions which should be based on more explicit policies and criteria and be better documented and communicated to those who implement them including parole suspension criteria to guide CSC.

5. Release Planning and Supervision

The jury recommends improvements to the development of a release plan that fully involves community resource persons and agencies, effectively communicates all relevant information to the National Parole Board and others involved in the case, and is adhered to by case supervisors who should be empowered and prepared to effectively intervene when necessary.

6. Community Residential Centre (CRC) Operations

Strengthened CRC operations are recommended including better communication and interaction with parole supervisors.

Task Force Response

The Task Force has carefully considered the jury's recommendations and agrees fully that these general areas of concern and the individual recommendations related to them are areas where improvements can and must be made.

The following sections discuss each of these areas more fully. They describe certain actions that have already been taken or are now under way and recommend further action for the near and medium term.

III. INTERVENING EVENTS

Kirkpatrick House

The inquest dealt with a murder that occurred in 1985. A number of actions were taken by the Correctional Service and National Parole Board immediately following the incident to identify areas in need of improvement and to take corrective action.

A security inquiry was undertaken by the Correctional Service of Canada (CSC) and National Parole Board (NPB) immediately following the murder. As a result of the inquiry report, a joint CSC, NPB and John Howard Society task force was established to review the overall operation at Kirkpatrick House and to make recommendations to improve the House's programs. Fifteen recommendations were made by the joint task force, touching on such issues as case documentation practices, staff orientation, and House discipline.

The CSC completed four evaluations of Kirkpatrick House between June and September 1986. The evaluations found the recommendations to have been satisfactorily implemented. In addition, the John Howard Society completely reorganized its structure and made several changes in its senior personnel. Staff changes also took place at the House itself.

The inquest made no recommendations specific to Kirkpatrick House.

System Improvements

Partly due to lessons learned by examining the death of Celia Ruygrok and to on-going efforts to improve the system, a number of initiatives have been taken and are under way to bring about improvements that impact on many of the areas subject to the jury's recommendations.

- Expanded and improved Community Residential Centre (CRC) standards have been developed and are now under consultation with CRC representatives.

- A new funding model (block funding) has been implemented which enables funding of improvements to CRC operations such as staff training and security provisions.

- A new casework model - called the Case Management Strategies approach - has been introduced by the Correctional Service and related staff training is now under way. This model was developed in the United States by the National Institute of Corrections and is currently in use in approximately 30 state jurisdictions. It provides a set of techniques to improve case assessment and case supervision.

- Parole Supervision Standards are being developed in cooperation with provincial jurisdictions and the private sector.

- Parole Decision-Making Policies are under development for use by the NPB.

- Health and Psychiatric Services are currently under review by a project team within CSC.

The foregoing initiatives can be expected to produce improvements to the case management process, parole decision-making, parole supervision and CRC operations in general. The Task Force is fully cognizant, however, that the jury was aware of most of these initiatives when recommending improvements in these areas. Consequently, in the following section certain immediate and short term actions are described or recommended. Other aspects of the jury recommendations will require in-depth consideration and strategic planning to implement over the medium to long term future.

To do so, a Review of Sentence Management Policies and Programs is recommended by the Task Force as outlined at Annex "B".

IV. INQUEST RECOMMENDATIONS

The following sections deal with the 6 areas to which the recommendations relate.

1. Criminal Justice System

A number of the recommendations fall, in whole or in part, outside of the jurisdiction of the Ministry of the Solicitor General of Canada. All, however, have a direct bearing on the quality and effectiveness of correctional operations of the Ministry. The Task Force, therefore, is of the view that everything possible should be done to collaborate with outside parties to bring about improvements in areas of common interest.

These recommendations generally refer to securing the cooperation of judges, crown attorneys and police to provide more comprehensive and timely information about offenders. Recommendation 27 proposes that CRC residents be registered with OHIP. Recommendation 29 proposes a task force of federal and provincial officials to study the goals of the criminal justice system.

Consultation has been undertaken with the Department of Justice of Canada with regard to the proposal for an amendment to the Criminal Code of Canada to require judges to give written summaries of cases they have heard. It has been agreed that this question will be considered within the context of consultations on the recommendations of the Canadian Sentencing Commission which include related proposals. The Department of Justice is also considering how best to respond to the recommendation that prosecutors provide court briefs to correctional officials. Consultations within the Department of Justice have been initiated and will be undertaken with representatives of Provincial Crown Attorneys in August. The need for legislation authorizing the use of victim impact statements in the courts has been agreed upon by the Minister of Justice and his provincial colleagues. Appropriate legislation is now being considered.

The RCM Police have been consulted. The Commissioner of the RCMP has confirmed that policies and procedures are in place with respect to correctional liaison, the provision of comprehensive police reports, and the training of police officers on the role and functions of CSC and NPB.

The Department of Health and Welfare has been consulted with regard to the registration of parolees under provincial medical insurance programs. The Department is responsible for the Canada Health Act which provides for block-funding of provincial medical insurance programs. At the present time penitentiary inmates (including day-parolees) are excluded from such coverage in most provinces. Cooperation in developing an action plan and consultation with provincial officials has been assured.

The Commissioner of Corrections will (as recommended at p.10) give direction to all institutions and parole offices to review their operations to ensure that liaison officers are identified to local police and to encourage local police forces to also appoint liaison officers where they have not already done so. They will also be directed to identify problems that may exist in receiving complete and timely information from any source and to redouble efforts to work out satisfactory arrangements. Availability and distribution to police forces of CSC and NPB informational publications will be increased, and further joint educational initiatives will be explored through such groups as the National Joint Committee of police, correctional and other criminal justice officials.

The goals of the criminal justice system in Canada are now being reviewed through two integrated processes: consultation on the recommendations of the Canadian Sentencing Commission under the leadership of the Minister of Justice, and the Correctional Law Review under the leadership of the Solicitor General. Both involve extensive consultation with the public, private sector interest groups, other levels and departments of government and professional associations and individuals. Special effort will be made to ensure that these processes will fully address the spirit of recommendation 29 and, to the extent possible, the inquest recommendations and Task Force findings will be incorporated in their

deliberations. More specific correctional issues identified in the jury recommendations can also be addressed in the following ways.

In addition to the consultations already undertaken at the federal level, the Task Force recommends the following:

- ***The Solicitor General contact the Ontario Solicitor General, the Honourable Ken Keyes, to offer to cooperate with him in taking action to respond to those recommendations falling within his jurisdiction; and to offer the cooperation of Ministry officials to undertake joint action in all areas of shared interest or jurisdiction.***

- ***The Solicitor General write to his other provincial colleagues bringing to their attention the recommendations of the inquest jury asking them to undertake a joint effort to ensure that any improvements that may be relevant in their jurisdictions are addressed, and proposing a multi-lateral meeting to discuss improvements that can be made in federal-provincial cooperation.***

- ***The Solicitor General and Ministry officials, in cooperation with the Department of Justice, pursue implementation of the objectives of the recommendations in appropriate fora with organizations such as the Canadian Association of Chiefs of Police, the National Joint Committee (of police, corrections officials, crown attorneys and judges), the Canadian Criminal Justice Association, Canadian Judicial Council, Canadian Association of Paroling Authorities, federal-provincial Heads of Corrections, National Associations Active in Criminal Justice and similar organizations.***

2. <u>Information Collection and Communication</u>

This is arguably the most critical area addressed by the inquest recommendations. Beginning with reception, which is the earliest stage of the case management process, information is collected, compiled, assessed and fundamental decisions made about institutional placement, psychiatric needs, program needs, etc. The later stages of the process (case planning and treatment, release planning, release decision making) continue these functions with each stage building on what has gone before.

During the inquest, evidence was presented to the effect that significant failures occurred at the reception stage in the Sweeney case and were not subsequently corrected. These failures were attributed in part to the fact that adequate information was not imparted. For their part, correctional officials appear not to have recognized the need for more and better information and/or did not aggressively enough seek it out.

It is critical that any weakness in the area of information collection and communication be identified and remedied immediately.

It is, therefore, recommended that the Commissioner of Corrections immediately instruct all Regional Deputy Commissioners, Wardens and parole District Directors to designate Information Coordinators in their operational and headquarters units. With the assistance of the Coordinators, all senior managers should be further directed to:

- ***ensure that all information required by existing policies, and other information that is considered relevant, is collected and incorporated into case files as early as possible in each new case;***

- ***actively and persistently pursue information that is required from outside sources until it is received in cases where it is not provided according to established procedures;***

- ***make every possible effort to establish liaison and channels of communication with police, courts and crown attorneys where they do not exist or are inadequate;***

- ***ensure that at key decision points, particularly any conditional release decision, all required information is present on the file and is communicated to those parties who require it;***

- ***review and ensure that all policy directives with regard to information collection, analysis and communication are consistently observed;***

- ***begin immediately to review all active files that have involved death or serious sexual assault to ensure that information is complete and up to date, and take immediate remedial steps where it is not;***

- ***ensure that in every case involving loss of life or serious sexual assault, that psychological and psychiatric assessments are prepared prior to consideration of conditional release by the Parole Board.***

It is also recommended that the Chairman of the National Parole Board direct Regional Directors to designate Information Coordinators to ensure that files to be reviewed for decision contain all necessary information and to vigorously pursue it where they do not.

It is also recommended that both Commissioner and Chairman designate senior officers to provide functional direction to field staff with regard to the foregoing instructions and to prepare monthly progress reports for the first three months followed by quarterly reports until discontinued.

The jury also drew a connection to what it perceived to be inadequate sharing of information throughout the case management process between correctional officials, CRC officials, community support persons and police.

In addition to the immediate designation of Information Coordinators, a longer term initiative has been launched by the Correctional Service to remedy many of the shortcomings noted in the recommendations relating to information collection and communication. The Offender Management System (OMS) is an automated data system that is currently under development. It will cover all operations from initial notification of an offender being sentenced to a period of federal incarceration, through to expiry of that sentence. It will be a shared system between Correctional Service Canada and the National Parole Board, with electronic linkages to the RCMP and local police through CPIC (Canadian Police Information Centre) with provision for eventual linkages to provincial courts and correctional systems.

In the fall of 1986 a Feasibility Study for the Offender Management System was completed and approval given to proceed with a conceptual design. The general design phase is expected to be completed by August 1987 at which time cost estimates will be developed.

The design of the OMS system will address many of the concerns raised during the inquest in a variety of ways, for example:

- OMS will be able to automatically request judges' reports, crown briefs, etc. on any category of cases designated; the system will then keep reminding the case management officer to follow-up until the report has been received;

- psychiatric/psychological testing results can be captured in OMS;

- all offender information, confidential and non-confidential can be available on a single system network. The system could produce standard profiles of the information deemed to be important to the program being planned or decision being made at all points from initial placement to final release. This could be supplied to parole supervisors, police, C.R.C. staff and community resource persons. If a key piece of information is missing from these profiles, the system will send reminders to the Case Management Officer, medical clinic, instructor, etc;

- OMS would provide for entry of Parole Board decisions, and through the CPIC interface allow notification to police of any releases of inmates (temporary or final);

- The CPIC interface will provide a link among all CSC/NPB and police locations. Data from CSC or NPB could be passed directly to the main offices of interest and information which the police have on federal offenders would also be passed automatically from CPIC files to OMS. Preliminary discussions have taken place with the RCMP to develop a more generalized interface, which would allow new forms of data exchange, including textual information, that could include additional information about offenders.

The jury recommended a centralized "case preparation department" located in "reception centres" that would be responsible for information collection, synthesis and dissemination throughout the sentence. A centralized case preparation department as described by the jury would be impractical. There is only one regional reception centre (in Quebec) at the present time. Generally, to facilitate close communication and interaction between the many involved parties, it is essential that this function be managed close to the relevant locale. Although a number of the failures and weaknesses perceived by the jury in the early stages of the Sweeney case will be addressed by the designation of Information Coordinators and implementation of the OMS system, the Task Force accepts that the reception process should be strengthened and greater structural integrity introduced. This will require more detailed consideration and planning.

The Task Force recommends, therefore, that the reception process be further examined as part of the Sentence Management Review described in Annex "B".

3. Case Planning and Treatment

This area approximates that part of the case management process that lies between the reception stage and release planning and supervision (#5 below). It comprises the development of a case plan that includes a variety of program options, treatment services and achievement targets for inmates. Most important it involves the management of that plan and its ongoing revision as conditions change.

A new approach to case management (Case Management Strategies) is currently being introduced in CSC and staff training is nearing completion. This will strengthen and focus the process. This model is now in use in many jurisdictions. It contains a set of techniques and criteria to help make case management decisions. It emphasizes a careful case assessment based on detailed background information and a case plan tailored to the individual offender's needs and personality type. The case plan

provides objectives for the offender, guidance to the case-worker and assistance for parole decision-making. The Task Force is cognizant that further improvements may be achievable but would require a careful review of case management policies and an assessment of how well they are achieved within current resource levels.

It is recommended therefore that case planning and treatment also be included in the Sentence Management Review outlined in Annex "B".

The inquest jury placed heavy emphasis on psychiatric and psychological services during this as well as the reception and release phases of the sentence. The Task Force agrees that optimal use should be made of psychiatric and psychological services. However, it would be prohibitively costly to utilize them in all cases and very likely impossible to attract enough trained professionals to render such services. Experience has shown that it is extremely difficult to attract psychiatrists to correctional - especially penitentiary - work. Off-shore recruitment has often been necessary and even then of short duration. Straight-forward assessments cost approximately $500 per time and on-going treatment increases these costs enormously.

At the present time a psychological assessment is conducted in the case of every new admission and a psychiatric assessment whenever it is indicated by prior history, nature of the crime or the psychological assessment. Treatment and repeat assessments are requested when there is an indication of need. At a minimum, in every case of a life sentence, psychiatric and psychological assessments are prepared and provided to the Parole Board.

Because of the high cost and scarcity of these resources, further expansion must be carefully targetted on areas of need. Consequently, a review has been commenced within CSC of Health Care and Psychiatric Services. It will recommend, by April, 1988, improvements that would result in

appropriate psychiatric services being made more available to inmates who require them. The inquest jury recommendations will be considered in this review.

While the psychiatric services review is under way, measures will continue to be implemented to respond to clearly identified needs. For example, the recent announcement of this Ministry's participation with Ontario in developing the Northern Treatment Centre will provide needed psychiatric services to offenders from Northern Ontario, with a special emphasis on Natives.

Other forms of "treatment" programs are also important in case planning. A number of programs are already well established such as work activity, counselling, education, recreation, life skills training, and similar programs. Literacy training and drug and alcohol education are two areas that have recently received new emphasis and resources. These and other similar programs can be further developed.

It is recommended that other programs to help inmates prepare for release and integration into the community be included as a subject for consideration by the proposed Sentence Management Review described in Annex "B".

4. NPB Decision-Making

The jury recommended that the National Parole Board's decision-making be strengthened in two principal ways. First, that it receive the best quality information possible in a timely fashion on which to base its decisions. Second, that its decisions be clearly communicated with any instructions, concerns or conditions that are necessary. By implication, these recommendations turn on improved coordination and integration of NPB and CSC policies and activities. The Task Force agrees that such improvements should be made.

There are two important initiatives now being undertaken by the National Parole Board to improve its decision-making. First, beginning in July of this year, the Board will conduct a pilot project in structured decision-making. This project will result in a consistent review of cases across

the NPB, by ensuring that all Board Members address the same issues (risk of re-offending, risk of committing a serious offence, and re-integration potential, including treatment strategies in the institution or community, to reduce or manage risk) and that the critical factors leading to the assessments and the reasons for the Board's decisions are clearly articulated and documented. It will also make the Board's information requirements explicit and will provide a means for the Board to specify what treatment requirements must be met before a conditional release may be granted. Release conditions and community treatment requirements will also be specified, thus ensuring more effective supervision following release.

A pilot project in the Quebec region of the Board is now nearing completion. By providing staff assistance to the panels of the Board, it has improved the organization and presentation of information on which decisions are based. It has improved also the written decisions that communicate the reasons for and objectives of Board decisions. This process will be expanded to all NPB regions as soon as resources permit.

Second, the Board is developing Parole Decision-Making Policies for its own use. They will include revocation and suspension policies, matters of particular concern to the jury. These policies will guide decisions, make the Board's criteria and information requirements more explicit, and generally communicate better the Board's expectations. It is important to have extensive consultations on these policies. The Board Chairman has agreed to begin these consultations in early July with the objective of implementing them in November.

These improvements will require careful joint planning with CSC to ensure that communications and community services are coordinated with changes being introduced by the Board.

It is, therefore, recommended that NPB and CSC policies, practices and working relationships that are relevant to parole decision-making, also be included in the Sentence Management Review (Annex "B") during the next 6 months.

5. Release Planning and Supervision

This refers to the phase of the case management process that plans for, supervises and administers the release portion of the sentence. As at the reception stage it includes significant interaction with community and criminal justice agencies outside of MSG control including the interface with Community Residential Centres (CRCs). It is critical for the successful completion of the conditional release and, when successful completion is not possible, for effective intervention that can prevent a new offence.

The jury recommendations call for more effective release planning, improved communication of plans - including their expectations and cautions to those involved in their implementation, and fewer constraints on the ability of supervisors to intervene when required. This area is intricately connected to all other phases of the case management process and parole decision-making. The release plan is based on an assessment of the offender's background and institutional performance to judge his potential for success in the community. The NPB relies heavily on the release plan when deciding the level of risk a parolee would pose to the community and the quality of available support and control services to modify that risk.

Therefore, it is recommended that the Sentence Management Review consider this area for improvements that will take more time, resources and detailed planning to introduce. The review should include the need to expand and diversify community correctional programs and services and consider the resource requirements to do so.

The CSC, in cooperation with NPB, Ministry Secretariat, provincial correctional officials and voluntary sector representatives is currently engaged in a consultation process to develop common parole supervision standards. This is a complex undertaking based on thorough consultation among the aforementioned parties. It will, therefore, take some time to complete (field testing of draft standards is scheduled to begin in October, 1988). It will bring about a much better defined set of expectations to guide case supervisors and set acceptable levels of performance.

This portion of the case management process will also be strengthened by the recent introduction of the Case Management Strategies approach that will provide guidance to case management officers in developing an individualized approach in each case. Techniques are provided in this approach to assess changing levels of risk and need resulting from changing circumstances. Strategies are also outlined to alter the level of control and support accordingly.

The jury was also concerned about the responsiveness of outside agencies, particularly the police, at this critical period of the sentence. The establishment of police-corrections liaison officers can be critical to ensuring rapid and effective communication of police information to parole supervisors and to obtain assistance quickly when required. Efforts will continue to ensure such liaison is established where it does not now exist and this subject will be included among topics for proposed consultations with provincial and police officials.

With regard to police education and information about the parole system, a Conditional Release Handbook for police has been developed by the NPB in cooperation with CSC, the Ontario Ministry of Corrections, the Ontario Regional Committee of the National Joint Committee, and Ontario Police College. The NPB will immediately begin discussions with other regional organizations, police and provincial officials to produce similar handbooks specific to each province.

6. <u>CRC Operations</u>

Although the jury made no recommendations with regard to Kirkpatrick House, concerns were expressed with regard to the way CRCs operate and the way CSC interacts with and influences their operations. This is a critical area since correctional services generally rely increasingly on these "halfway houses" to provide stable living arrangements and emotional support for inmates on conditional release. Indeed there may be scope for even greater use of their services.

Consistent with the immediately previous recommendation to improve community correctional programs and services, (and with initiatives already under way), it is recommended that the proposed Sentence Management Review (Annex "B") address in particular the potential expansion of CRC services to strengthen and support conditional release programs.

The Task Force is in full agreement with the inquest jury that this important program area is in need of strengthening and support from the public sector agencies who utilize their services. Several important support initiatives have recently been or are presently being introduced. An expanded and elaborated set of CRC standards have been developed and are currently under discussion with the agencies and correctional officials who would be responsible for their implementation.

CRC operators are being encouraged to voluntarily adopt and use the draft standards as early as possible. Consultations are expected to be completed in October, 1987, and the standards agreed upon through the consultation process will form a part of CRC contracts in the following year. The draft standards and those already included in some agreements address all of the areas of concern to the jury such as staffing patterns, security features, staff training, counselling, case conferences and contingency plans.

A new funding model (block funding) was also introduced last year to accommodate the actual cost of agreed upon expenditures of CRCs. This model will allow CRCs to recover the cost of meeting the standards.

As well as directly funding CRCs to undertake training for staff, the CSC has been instrumental in supporting the initial development of the Canadian Training Institute (CTI) which specializes in training CRC staff, developing self-study training packages and training in-house trainers. CTI currently receives sustaining funding of approximately $150,000 per annum from this Ministry and approximately $100,000 from CSC for the purchase of services for CRC training.

V. CONCLUSION

The Task Force finds that the inquest jury recommendations are generally positive and is in agreement that improvements to the correctional system can and must be implemented in the areas about which it expressed concern.

Effective steps were taken following the murder of Celia Ruygrok in relation to the specific set of circumstances which surrounded her death at Kirkpatrick House and the Ottawa parole office.

Other measures aimed at bringing general improvements throughout the federal correctional system have also been launched due at least in part to lessons learned from this tragedy. Many of these measures are continuing and their impact is yet to be fully felt.

In addition to the foregoing activities, the Task Force believes that it is imperative that any weakness in the current system of collecting case information and communicating it to all parts of the system that require it must be identified and rectified immediately. Therefore, it has recommended that immediate direction be given by the Commissioner of Corrections and Chairman of the National Parole Board to their field staff, that Information Coordinators be designated. These officials, under the direction of senior management, will ensure that all required information is collected, communicated, and is present on case files at key decision points. In the medium term, a computer system that is now under development will ensure that cases are tracked throughout the sentence and that warnings and reminders will be registered when needed information is not present.

The jury recommendations graphically illustrate the interdependent nature of the Canadian correctional system and other components of the criminal justice system of which it is a part. The fragmented nature of the system has repeatedly been identified as a problem by Royal Commissions, Task Forces and Committees for many decades. Its effective operation is dependent upon cooperation between the many departments and levels of government which share responsibility in this field.

Many mechanisms exist to bring about coordination and cooperation including regular federal-provincial meetings of criminal justice officials at all levels. A revitalized effort is required, however, and, as this incident revealed there are still improvements to be made. Consequently, direction has been given to field staff to redouble efforts to secure effective channels of communications with police and other criminal justice agencies. In addition, a number of recommendations have been made to seek the cooperation of other jurisdictions and departments in seeking better coordination and communication on a system-wide basis.

The Task Force agrees also that there are other improvements that can be made to current reception practices, case planning and treatment, release planning, parole decision-making and community supervision and programs. These are complex, interactive processes that must be examined in detail and in combination. The Task Force has, therefore, recommended that a Sentence Management Review be established (see Annex "B") to conduct a review of the foregoing areas and to recommend improvements and a plan for their implementation within the next 6 months.

In summary, the Task Force recommends immediate action wherever necessary and possible. In areas falling outside the responsibility of the Ministry of the Solicitor General, all possible steps are recommended to seek immediate cooperation of outside criminal justice agencies while more comprehensive consultations are initiated. For the medium term it is recommended that further improvements of a more complex nature, possibly with significant resource implications, be the subject of a Sentence Management Review over the medium term.

Taken together, the Task Force believes that the recommendations contained in the foregoing report and attached annexes respond positively to the concerns expressed by the inquest jury.

ANNEXES

ANNEX "A"

INQUEST RECOMMENDATIONS
AND
TASK FORCE RESPONSES

1. ***A Case Preparation Department be instituted at the regional reception centers to collect, assemble, verify and update vital inmate non-confidential and confidential information for inclusion in separate master files. This department must also have access to the "institutional preventative security operations file". The case preparation department must also ensure that all information is passed to the appropriate authorities.***

RESPONSE

The Commissioner of Corrections has directed that staff begin to review all files that have involved loss of life and to ensure that all critical information is present or is immediately obtained.

The Task Force has recommended that Information Coordinators be immediately appointed in institutions, parole district offices, Parole Board regional offices and at headquarters of both CSC and NPB to ensure early collection of all necessary information and the maintenance of channels of communication within and outside the correctional system.

The Coordinator will liaise with community agents, collect relevant information, ensure a focused induction interview is conducted with the inmate, identify needs as indicated by the nature of the offence, make immediate referrals as considered necessary for completion of a profile report, and complete a checklist of documentation. The Coordinator will also be responsible for ensuring follow-up of information inadequacies noted during the reception process and ensure that they are rectified as soon as possible.

Upon leaving the reception process, the offender's case file will include a profile report of the crime and checklist of documents received, documents required, assessments completed and assessments required. The profile will form part of any future decision-making documentation. The checklist will be attached prominently on the file and follow-up on the inadequacies noted will be monitored by the Coordinator.

The implementation of these changes in the reception process and the results of these changes will be subject to ongoing monitoring by CSC Headquarters and by regional offices. This monitoring will consist of both compliance audits and an evaluation (1 year after full implementation).

It has also been recommended that a proposed Sentence Management Review include the examination of longer term improvements to data collection and communication, particularly at the critical reception stage.

The Offender Management information system that is currently under development will contribute in the longer term to improved control of information flow by flagging the absence of necessary information and prompting staff to complete such information needs on a regular basis and in particular at case management decision points (especially conditional release decisions).

2. ***In respect to all trials involving the sentence of a person to a penitentiary the following reports be prepared and forwarded immediately after the trial to the appropriate inmate regional reception center.***

   (a) A judge's report containing a summary of the trial evidence including a description of the offence, any issues raised such as insanity, provocation or drunkenness, and background information about the offender. The Criminal Code should be amended accordingly to indicate that such reports are compulsory.

   (b) A crown brief and summation to the jury.

   (c) The investigating officer's report of the offence.

   (d) A victim impact statement.

RESPONSE

The Task Force concurs that the substantive information identified by the Inquest jury should form part of the CSC intake documentation process. Fulfillment of the recommendation is contingent upon the cooperation of agencies outside the Ministry of the Solicitor General. The Task Force has therefore undertaken consultations at the federal level, and recommends that further consultations be initiated with provincial correctional, prosecutorial, judicial and law enforcement authorities. As part of this process, options should be explored for the provision of the substance of the information identified in the recommendation, in the event that the precise documents recommended by the inquest jury are viewed as problematic.

(a): Criminal Code amendments fall under the jurisdiction of the Minister of Justice. The Task Force consulted the Department as to the feasibility of a Code amendment requiring the provision of judges' reports. The Department agreed to undertake consultations with members of the judiciary on this issue within the process which has been developed to consider the report of the Canadian Sentencing Commission. This process is scheduled for completion in the spring of 1988.

(b): The Task Force also consulted the Department of Justice with respect to the provision of federal Crown documents, and recommends that provincial Attorneys General also be approached to seek their cooperation in responding to this recommendation.

The Department of Justice has initiated internal consultations on this issue, as it raises both legal and operational concerns. As these concerns may be shared by provincial Crown Attorneys, the Department has undertaken to initiate discussion of the issue with representatives of provincial Crown Attorneys at the next meeting of the Uniform Law Conference (August 1987).

(c): The Task Force has consulted the federal police agency, the Royal Canadian Mounted Police, and recommends that provincial Ministers reponsible for law enforcement be contacted to invite their cooperation in responding to this recommendation.

The Commissioner of the RCMP has advised the Task Force that current policy requires that investigating officers forward to the regional NPB office a report which contains information regarding the offence and the offender, as well as the effect of the offence on the victim and the potential reaction of the community to any release.

(d): The Minister of Justice, the Solicitor General and their provincial colleagues have agreed that there should be statutory provision for victim impact statements. The Department of Justice is currently developing a Criminal Code amendment to provide authority for the use of victim impact statements in the courts.

The NPB and CSC now take into consideration the submissions of victims in correctional decision-making. These submissions are normally received by correctional authorities directly from the victim during the inmate's sentence.

5. ***In addition to recommendation #2, the Crown shall forward all psychiatric and psychological reports dealing with the offender to the case preparation department at the reception center. All transcripts shall be provided to the case preparation department by the Crown if deemed necessary.***

RESPONSE

The Task Force recommends that this item be included in the Department of Justice consultations with federal and provincial Crown Attorneys, as discussed under Recommendation 2(b).

4. ***All new inmates arriving at a reception center be subjected to in depth psychiatric/psychological testing to facilitate the development of a rehabilitation program.***

RESPONSE

The Task Force agrees that in-depth psychiatric or psychological testing is an important part of many offenders' rehabilitation programs, but that its uniform application in all cases would be an ineffective deployment of scarce resources. The CSC will screen all newly-admitted offenders, so that those requiring in-depth or intensive assessments can be identified and provided with such testing. As a minimum, in-depth testing will be carried out mandatorily in all cases involving death or serious sexual assault prior to any consideration for conditional release. The Task Force also supports development by the CSC of new assessment tools for specialized types of offenders such as sexual offenders and psychopaths.

The Task Force further recommends that CSC pursue the jury's recommendation in the context of its review of health care and psychiatric services. This review will consider the role as well as the level of specialized and general health care services provided to inmates at different points in their incarceration.

5. ***A rehabilitation program be developed following a case review of all available information. The inmate must be made aware at this time of the importance of following such a program.***

RESPONSE

The Task Force agrees that both NPB and CSC must ensure that individual program plans are designed and implemented to reduce risk and promote the reintegration of the offender as a law abiding citizen. These plans constitute the framework for NPB decision-making and guide the management of the offender's case by the Correctional Service.

During the fiscal year 1986-87, case management staff were given training in a new approach to developing rehabilitation programs, i.e. the Case Management Strategies approach. The essential elements of this approach are: a standardized method of identifying case intervention strategies which are likely to be effective when dealing with the specific offender; the identification and setting of priorities for the offender's problem areas as related to criminal behaviour; the setting of long-term goals to address the critical criminogenic factors; and the setting of clear, specific and timeframed short-term objectives which form the basis for a program plan; and a consistent and continuing planning process.

The approach focuses the attention of the offender and the officers on the criminal behaviour and on the means of "correcting" it. It also enunciates clearly both expectations and consequences of failure for the offender. The management of the offender's case is consistently directed towards the same goals, no matter which officer may be responsible or at which point in the sentence the offender may be. In response to needs identified in the planning process, references are made to specialized treatment such as psychiatric and psychological services.

When the offender is deemed ready for conditional release consideration, case planning will incorporate the requirements for release but will also be consistent with

the intervention strategies that have proven to be effective and the offender's existing program plan which directly addresses the criminogenic factors.

The current NPB Decision-Making Policies project also represents a critical step in this process by clearly illustrating for both CSC and the offender what types of factors are taken into consideration in conditional release decisions and what types of programs are required in particular cases in order to reduce risk to an acceptable level. The NPB is implementing a structured Decision-Making process as a six month pilot project, for day and full parole reviews, to ensure consistent and comprehensive reviews that make visible the factors taken into consideration in the decision. The use of a structured process will help clarify, for CSC, the information needs of the Board. NPB and CSC are cooperating closely to ensure effective application of these guidelines.

8. ***The inmate undergo periodic counselling and psychiatric/psychological treatment during the course of his program and a final assessment be made prior to Parole Board consideration. In the case of offenders who have committed crimes of violence a thorough, independent, psychiatric and psychological evaluation must take place at an outside psychiatric facility.***

RESPONSE

The Task Force refers to the comments made in response to Recommendations 4 and 5 (identifying a process whereby high risk/high need offenders can be targetted for intensive psychiatric or psychological treatment), and in response to Recommendation 8 (the fulfillment of the rehabilitation program as a prerequisite for parole consideration). These procedures will ensure that psychiatric and psychological assessment and treatment are provided in cases where they are required.

As was noted in respect of Recommendation 4, every offender who has committed an offence causing death or serious sexual assault will undergo intensive psychiatric or psychological testing before being considered for any form of conditional release. Outside facilities will be used where appropriate due to specialized needs or better accessibility. The CSC review of health care and psychiatric services will examine the optimal method of psychiatric service delivery.

7. The Case Preparation Department prepare a profile report on the inmate for the Parole Board's review to aid the Parole Board in their decision regarding a release order.

RESPONSE

The Task Force agrees that a profile report is an essential component of the information prepared for the consideration of the Board in respect of conditional release applications. As noted in response to Recommendation 1, a profile report will be prepared as part of the reception process, will be constantly updated and refined, and will form part of any release decision-making action.

8. The Parole Board's criteria for granting parole must consider the inmates progress in his rehabilitation program.

RESPONSE

The current NPB Decision-Making Policies project specifically identifies the inmate's progress as an important factor in the decision-making process. In conjunction with the two dimensions of "General Risk of Re-offending" and the "Risk of Committing a Serious Offence", the draft policies provide that the Board must also take into consideration the question of "Risk Management Strategies", which are, in effect, the institutional programs that the offender must complete successfully in order to reduce the risk to the community to an acceptable level before conditional release may be granted.

The Decision-Making policies also require that offenders whose major conviction was for an "offence against the person" must successfully complete treatment for any diagnosed disorders which may have contributed to the offence, and that these offenders must also successfully participate in other programs which are likely to enhance their chances for successful re-integration as law-abiding citizens.

The structured Decision-Making pilot project (see recommendation #5) being undertaken within the NPB will also ensure that all Board Members consistently address these factors in their Day and Full Parole reviews, thereby providing CSC and the offender with the clearly stated expectations of the Board. While the Board has always considered the inmate's progress in a rehabilitation program, the Decision-Making Policies project will result in a much more focused and timely specification of what the Board expects as the essential ingredients of a "rehabilitation" program.

9. ***Minutes of the Parole Board Panel and subsequent decisions shall be formally recorded and any conditions of release be brought to the attention of the police and appropriate authorities to ensure implementation. The Case Preparation Department shall ensure the decisions of the Parole Board are duly recorded on the file.***

RESPONSE

The maintenance of accurate and timely records of Parole Board Panel Hearings is an important element in the decision-making process. The effective communication of the reasons for decisions, the comments and expectations of the Board regarding treatment requirements, and the rationale for the imposition of release conditions is a vital outcome of this process. The NPB Decision-Making Policies project (see recommendation #5) currently underway stresses the importance of clearly stating reasons for decisions along with appropriate comments and expectations. The structured Decision-Making pilot project (recommendation #5) will also make much more visible for the offender and CSC the critical factors and expectations upon which the decision is based.

As well, a "Hearing Assistants" project has been experimentally initiated by the Board in the Quebec region to provide staff assistance to decision-making panels of Board members. It will, among other benefits, ensure that the decisions of the Parole Board are duly recorded on the file and that the reasons for those decisions are visibly and clearly stated and documented.

CSC will also cooperate with the NPB regarding an increased distribution of the NPB decision sheet to provide more information to the police, CRC staff and other relevant individuals. This will outline the release plan to those involved with the offender. The progress summary report will be attached to the decision sheet along with a cover sheet highlighting the case in terms of background information and potential problem areas. Such factors as: violent background, alcohol/drug abuse history, psychological/psychiatric history, offence pattern, etc. would be included on the cover sheet to alert those dealing with the offender. Significant individuals in the community (spouses, friends, etc.) will be advised of information on file.

10. ***If parole is granted the inmate's rehabilitation plan must be extended into a <u>Release Plan</u> clearly setting out how he is to be dealt with in the community. This release plan must be clearly identified in a document and communicated to all persons who will have dealings with the offender in the community, including Parole Supervisors, Police, C.R.C. Staff, and Community Resource persons.***

RESPONSE

The Task Force concurs with the importance attached to development and communication of a release plan. The Case Management Strategies approach (see recommendation #5) provides for the preparation and on-going evaluation of a program plan. In preparation for release this will be extended into a release plan which the proposed NPB Decision-Making Policies will ensure is considered in making release decisions. The assessment of risk potential and the specification of "treatment" requirements to reduce that risk to an acceptable level inevitably lead to the linkage of institutional requirements to what should be required of the offender once in the community. The Decision-Making Policies require the Board Members to specifically address the risk management strategies that are required in the community to deal with the offender, and should be reflected in the release plan.

The Conditional Release Supervision Standards that are currently being developed will also address this issue. The "Risk and Needs" assessment that is carried out by CSC in the Case Management Strategies approach and the presentation of a Release/Supervision Plan to the Board at the time of the NPB review, will provide the basis for setting standards of service to be maintained.

As indicated in the response to Recommendation #9, CSC and NPB will be pursuing increased distribution of the NPB decision sheet and progress summary to ensure that police, CRC staff, and support persons are fully apprised of the requirements of the release plan.

10(A). In formulating the plan, consultation must take place with persons in the community who will be supporting the parolee such as girlfriends and wives. They must be given all relevant information about the offence and the offender and be fully aware of their role in the release plan.

RESPONSE

The Task Force agrees that the parole applicant be required to identify key community support persons and must be cognizant that effective parole supervision will usually necessitate the release of pertinent personal information to these individuals. Accordingly, CSC policy governing the communication of information in developing release plans will henceforth require that individuals providing support for the offender such as family, friends or volunteer sponsors must be made aware of the same background information as provided to supervising agencies, although not necessarily in the same degree of detail as agencies will receive.

It is implicit in these comments that sharing of information must always be exercised with sound professional judgment, and within the requirements of the Privacy Act.

10(B). The release plan must include all psychiatric and psychological information and must give clear guidelines to parole supervisors and CRC staff as to how to deal with the parolee. There must be an identification of any danger signals to watch for and action to be taken if problems are encountered.

RESPONSE

The Task Force agrees in principle that parole supervisors and CRC staff must be alerted to potential danger signals. The NPB Decision-Making project, the Conditional Release Supervision Standards project, and the Case Management Strategies approach address this issue in terms of specifying decision-making information requirements and the presentation of supervision strategies for addressing the known needs of the offender in the community.

Full disclosure of all psychiatric and psychological material may not be required in every case to ensure that parole supervisors and CRC staff are aware of danger signals, as some of the material may be focused on other issues. CSC policy will henceforth ensure that in all cases background information on history of substance abuse or mental disorder is provided, and at least the gist of all psychiatric and psychological information is provided as circumstances dictate. Additionally, a consent form will be developed by which the offender can authorize the release of information contained in psychiatric and psychological reports.

10(C). Where drugs or alcohol have been related to the original offence, there must be included in the parole plan a special condition that the parolee will submit to random alcohol and/or drug testing.

RESPONSE

The Task Force believes that release conditions must be applied as realistically and purposefully as possible toward the objective of reducing or managing risk and facilitating the re-integration of the offender. The Decision-Making Policies and Conditional Release Supervision Standards support the imposition of release conditions at the time of the Board's review with emphasis that the conditions imposed must be justified on the basis of demonstrated behaviour or specific needs. Conditions may, of course, also be imposed following the release where deemed necessary because of the changing level of risk that the offender may represent. Random alcohol and/or drug testing is now, and will continue to be, made a condition of release when it is considered a necessary measure to reduce risk to an acceptable level. The needs/risks analysis and release planning done as a part of the Case Management Strategies approach will better identify instances where such conditions are required.

10(D). Where psychiatric problems were identified as being present at the time of the offence, the parole release plan must include a special condition that the parolee will attend for professional counselling, psychiatric treatment and monitoring while on parole. In these cases, there should be periodic administration of psychological tests.

RESPONSE

The Task Force agrees that psychiatric testing and treatment be made a condition of release when warranted at the time of release. Evidence of psychiatric problems at the time of the offence may not always constitute sufficient evidence of risk to order testing or treatment as a condition of release but this option would always be considered.

The Parole Board will continue to emphasize its basic review requirements: the identification of risk potential and the strategies that are required in the institution (if release is not granted) or the community (if release is granted) to manage or reduce that risk. The Board will continue to ensure that, at the release hearing, the inmate is fully aware of and understands the requirements of the release plan and the reasons for their imposition. Where psychiatric treatment is such a requirement the offender will be expected to accept it as a condition of his release.

10(E). Prior to releasing an inmate to a half-way house, a careful evaluation must be done by the Parole Board and Correctional staff to determine whether a particular inmate is suitable for that facility.

RESPONSE

The Task Force agrees that offenders and halfway houses must be carefully matched. Greater emphasis will be given to CSC policy and practice that will focus on the preliminary communication that must take place prior to the offender's release. The objective here will be to provide the agencies and individuals concerned with a profile of the offender's criminal background, social history, psychiatric record, etc. This information will enable these agencies and individuals to evaluate the offender, determine whether they have the resources to meet the offender's needs and decide whether they are prepared to accept him or her. Based on their response, the final Community Assessment will be undertaken to validate the offender's release plan.

As is now the general practice, CSC will make initial contact with the prospective supervising agency or CRC to explore the possibility of a referral. At this time the agency will be orally briefed on the case. In addition, however, standard policy will be that the agency representative should be invited to examine the offender's Progress Summary and such other documentation as may highlight relevant aspects of the case. The representative will also be furnished with a checklist for reference purposes that contains "tombstone" data about the offender. Besides biographical and identifying information, this checklist will comprise basic risk indicators such as whether the offender's criminal history involves violent offences or sexual assaults, any history of drug or alcohol abuse, mental disorders, etc. Similarly, the policy will specify that the police authorities in the area of release be consulted in every case and provided with the same checklist.

10(F). The CSC case workers should undertake a comprehensive background check of all friends, relatives, etc. who are deemed by NPB to provide a significant role in securing community support for inmates on a parole program.

RESPONSE

The Task Force agrees that background checks should be conducted on individuals in the community who will be providing support to offenders on conditional release. Current policy and practice require that such individuals be investigated for criminal activities through contacts with the police, and also that interviews be conducted with such individuals to determine their ability to provide support to the offender's release plan. CSC staff will be directed to make greater effort to ensure this policy is rigorously observed.

The Task Force supports additional measures that can be taken to improve the quality of all related aspects of supervision. The Conditional Release Supervision Standards project, for example, has identified as a priority the need to develop "qualitative" standards for supervision over and above the "quantitative" or "minimum" standards of supervision. Measures designed to evaluate the degree of assistance that may be expected from "significant" persons in the community will be considered, along with the general approach of involving those persons as meaningfully as possible throughout the supervision period.

11. There be clear criteria established for <u>parole revocation</u> by the Parole Board generally the same as for the granting of parole.

RESPONSE

The NPB Decision-Making Policies project (see recommendation #5) will provide revocation criteria. The major dimensions of the Board's review will be the assessment of the risk to the community that the parolee represents both in terms of general recidivism and committing a serious offence. While there must be some linkage to the releasing decision criteria and reasons for granting release, the policies will also refer to the parolee's behaviour since release to assess if and how the level of risk has changed since that time. Therefore, while there will be some similarity in the criteria for revocation and for granting decisions, these additional factors will be considered in the revocation decision.

12. Parole supervision must take place in accordance with the Release Plan and there must be a full sharing of information between the various agencies working towards the same purpose.

RESPONSE

The Task Force agrees there must be effective sharing of information and a common understanding of the release plan among those involved. Recommendations #9, #10 and #12(d) also refer.

Under the Case Management Strategies approach, parole supervision will be clearly based on an implementation of the release plan. All related programs, services and support persons should also be guided by the release plan and their interaction with the parolee will be monitored by the parole supervisor.

12(A). The Parole Supervisor must be free to deal with problems encountered by the parolee and intervene meaningfully when danger signals appear and at first sign of deterioration. The Parole Supervisor must concentrate on getting to the root of the problem rather than mere policing.

RESPONSE

The Task Force concurs that case supervisors require the flexibility, skills and resources to intervene effectively with support or control when problems emerge in a parolee's release. The Case Management Strategies approach will provide techniques to assess changing levels of risk and needs, and strategies to contend with such changes.

Suspension criteria are included among the Parole Decision-Making Policies now being developed by the NPB. The criteria will provide clearer guidance to parole supervisors as to when suspension may be appropriate.

12(B). Area managers be delegated the authority to temporarily suspend and cancel the suspension; such temporary suspensions should not exceed 48 hours and are for the purpose of investigation. This authority is to prevent breaches of the law or special conditions even where "hard evidence" does not exist.

RESPONSE

Authority now exists to suspend parole or mandatory supervision for any period of time up to 14 days, when the authorized person is "satisfied" that it is necessary or "reasonable" to do so in order to prevent breaches of the law or release conditions, or to protect society. The Task Force believes that this authority meets the concern raised by the inquest jury. Greater emphasis will be placed on educating authorized officers about the extent and limits of their authority. The proposed NPB Parole Decision-Making Policies include a statement with regard to suspension criteria to guide the use of suspension authority.

12(C). More meetings should take place between the parolee and parole supervisor in the community.

RESPONSE

The CSC will ensure that the proportion of meetings between the parolee and the parole supervisor that should be held in the community is clearly established in policy and that there is a record of the purpose as well as the duration and location of each of these meetings. Functional audits will review compliance with this policy and remedial action taken if it is found not to be observed.

12(D). There must be no confidentiality with respect to any information involving a parolee where any danger to the public or any individual is involved. This principle must be clearly understood and communicated to everyone.

RESPONSE

The CSC has developed a set of guidelines for staff with respect to the sharing of information. Essentially two elements are addressed.

First, there is the focus on the preliminary communication which must take place prior to the offender's release. The objective here must be to provide the community agencies and support persons with a basic but comprehensive profile of the offender's criminal background, social history, pertinent psychiatric history and any other data which will be significant in the implementation of the release plan. This information is designed to enable these agencies and individuals to evaluate the offender and determine whether they have the resources to meet his or her needs.

The second component is ensuring ongoing effective communication between CSC and community agencies and individuals during the offender's conditional release. There must be cooperation on all sides in terms of keeping others informed of all developments affecting the offender's continued compliance with his or her release conditions. This includes any directly observed behavioural changes on the part of the offender, and any incidents, reported by the police or other sources, in which the offender has been or is suspected of having been involved. Any occurrence which in any way increases the risk to the public safety should be the subject of sharing between CSC and the other parties involved, and this sharing should be documented on the case file.

The guidelines include a discussion of the parameters of the Privacy Act, and the Task Force recommends that these be highlighted to staff.

13. Case management standards and guidelines should be reviewed to ensure that directions are clear and consistently applied by all parole officers.

RESPONSE

The Task Force will ensure that a review of the case management standards and guidelines is done and that the directions are both clear and consistent with respect to parole officers in their roles as protectors of the public as well as treaters of offenders released from institutions. Functional audits will review the level of compliance with all case management policies, standards and guidelines.

14. That implementation of a proposed new case management form be undertaken without delay.

RESPONSE

The Task Force recognizes the value of one single document that will ensure all the important information on the file is recorded and properly used in the assessment of the offender before release. The Correctional Service of Canada has been working on the development of such a form in cooperation with the National Parole Board. It will be consistent with the information collection and case assessment procedures of the Case Management Strategies approach and Parole Decision-Making Policies of the Parole Board.

15. ***Police forces identify at least one liaison person for coordination of policy/information flow between CSC, NPB, and police. All police officers should be educated on the role and function of the NPB and CSC.***

RESPONSE

The Task Force acknowledges the importance of liaison between police forces and parole supervisors, and encourages the identification of liaison officers in police forces and detachments.

At the federal level, the RCMP have correctional liaison policies and programs in place, both at Headquarters and in regional divisions and detachments.

The Task Force recommends that provincial ministers responsible for law enforcement should also be contacted and their cooperation be solicited in this regard. Follow-up will be facilitated by ensuring that this issue is placed on the agenda of meetings of the National Joint Committee and of the Canadian Association of Chiefs of Police.

CSC and NPB Information Coordinators will, at the local level, do all possible to have police identify officers to act as their liaison contact. CSC has initiated a survey of all parole officers to examine the liaison practices between them and policy departments.

With respect to education, a conditional release information handbook is presently available for Ontario police officers. The Task Force recommends that NPB, in conjunction with CSC, undertake the development and distribution of this handbook in other regions of Canada. Further education initiatives should also be explored through NJC, and CACP. The Commissioner of the RCMP has asked his staff to review the jury's recommendations from a training perspective in order to determine further measures which can be developed to increase member awareness and appreciation of the role and function of the NPB and CSC.

16. Information on "CPIC" should be expanded to provide more details regarding the nature of the offence and any new information be immediately forwarded to central control by CSC staff on receipt.

RESPONSE

A new CPIC information category for all federal offenders is being added to the CPIC system. This and the concurrent development of an enhanced narrative category and the ongoing improvement of direct access to CPIC by CSC, represent significant improvements to the existing system, and are responsive to the concerns expressed in the recommendation.

(i) The RCMP and CSC are now nearing completion of the development of a new category, "Federal Inmates", which will largely replace the present "Parolees" category. This category, expected to be in place by mid-July 1987, will be used to input and maintain information respecting federal inmates both in custody and on any form of conditional release. It will contain basic data about the individual, including current location, warrant expiry date, and nature of release if in the community.

(ii) System capability for unlimited narrative is considered of significant importance, and is being reviewed both by CSC and the RCMP. Such a narrative could include remarks about the degree of violence in previous offences, previous victims who should be alerted to new events, or any other information to which officers should be alerted. Further study is ongoing to determine the resource implications of unlimited narrative, as well as to determine the most effective location within the CPIC system for this new category.

(iii) CPIC was designed to be an automated information system for use by and for police. Consequently, in the early years, offender release information was transmitted from the CSC institution to the police via telex, with hard copy follow-up documentation. The police were then responsible for entering the information on the CPIC system.

As a result of the inefficiency of this approach, CSC will soon have direct access to CPIC in several ways. With reference to the jury's concern, when the "Federal Inmates" category is implemented, an important feature is that CSC will have one-way direct computer access to it. This will enable a more efficient use of CPIC capacities, since no delay will be occasioned when, for example, updating a parolee's status as events change or new information is received.

17. ***The police must immediately contact the duty parole officer when they suspect a parolee may be in conflict with the law or in breach of his parole conditions and all police reports concerning a parolee be copied and sent to CSC and NPB.***

RESPONSE

The Task Force will ensure that police forces are reminded of their responsibility to immediately contact the duty parole officer should they come into contact with a parolee and observe behaviour which is unacceptable. This will be reflected on forms with which the Correctional Service corresponds with the police. They will identify and reinforce the requirement that police call CSC immediately once they have been in contact with the parolee and will clearly state the type of contact. The Commissioner of the RCMP has directed that a summary and findings of the Ruygrok Inquest be forwarded to all divisions across the Force to emphasize the necessity of effective and ongoing communication with the NPB and CSC.

Conversely, parole supervisors will be reminded of the responsibility to communicate to police information that they require to adequately identify parolees and conditions of their release.

18. ***Facility security guidelines be included in the "Standards and Guidelines for Community Residential Facilities" to address such issues as alarm systems, personal security, staffing, and general building security.***

RESPONSE

The Task Force agrees that CRC security guidelines should be incorporated into standards for residence operations. To this end, the Correctional Service of Canada will ensure that not only are such standards incorporated in CRC standards that are now being discussed with CRC operators and CSC staff but will also develop a checklist to cover security standards in residential facilities. Until CRC standards are fully developed and ready for implementation (scheduled for November, 1987) the CSC is encouraging CRC operators to voluntarily adhere to the draft standards which include security guidelines.

19. Each CRC develop a comprehensive contingency plan to ensure adequate staff safety.

RESPONSE

The Task Force agrees that each residential facility must have a comprehensive contingency plan to ensure adequate staff safety. This recommendation will be a part of the residential standards referred to in Recommendation #18. The CSC has a variety of contingency plans that can serve as models for the development of the same in community residential facilities and CRC operators are now encouraged to adopt them voluntarily.

20. Regular generic training courses for CRC's be scheduled on a regular basis and that adequate funding be made available for other specialized training. Crisis Intervention training be given priority.

RESPONSE

The Task Force agrees that each residential facility should ensure that training is regular and ongoing, and that crisis intervention training is given priority. The CSC will continue to provide funding to agencies and will emphasize that agency budgets should include training funds. The CSC will continue to contract for specialized training that will be made available to agencies under contract. The CSC will also continue to sponsor the development of training manuals that will assist agencies in conducting training for all staff within their agency. Support will continue for the Canadian Training Institute - the major Canadian trainer of CRC personnel. Ministry financial support for this function reached a combined total of approximately $250,000 last year.

21. There be a clear definition of the roles and responsibilities of the CRC and CSC to ensure a complete exchange of information regarding the residents and their parole release plan.

RESPONSE

The Task Force agrees that information exchange between the CSC and agency staff is of utmost importance. The CSC will review and clarify its policy on sharing of information with agencies. In addition, the CSC will develop a checklist to be provided to the agency along with a complete profile report on the offender including "tombstone" data, and basic risk indicators such as whether the offender's criminal history involves violent offences or sexual assaults, history of drug or alcohol abuse, mental disorders etc.

22. CSC Standards for CRC's which have been recently developed be incorporated into a contract between CSC and CRC.

RESPONSE

The Task Force agrees with the implementation of residential standards. To this end, the CSC has finished a first phase of consultation on the proposed "Standards and Guidelines for Community Residential Facilties". It is anticipated that Phase II of the consultation will be completed by the fall of 1987, and the standards incorporated into the renewal of contracts in the spring of 1988.

23. Prior to the granting of full parole, the Parole Board shall solicit recommendations from CRC and CSC staff as well as appropriate community resource personnel.

RESPONSE

In preparing release plans the community assessment process includes an assessment of suitable CRC facilities, as well as an assessment of other community resource services and persons. Interviews between CSC, CRC and the offender form a part of determining compatibility between the CRC and offender. In no case is a CRC required to accept a resident against its will.

The recommendations of CSC staff are reflected in the reports of the Case Management Team which form a part of the documentation considered by the Board.

24. All CRC staff be fully briefed by CSC on new admissions immediately prior to the arrival of the parolee. Such a briefing shall include the transmission of all pertinent file information.

RESPONSE

The Task Force agrees that CRC operators should have all pertinent information about residents before their arrival. Agencies under contract are encouraged to visit offenders in the institution prior to their conditional release and in most cases such an in-person meeting does take place in the institution and/or at the CRC (during a temporary absence pass). The CSC as noted in recommendation #21 will ensure that pertinent information is transmitted to agency staff prior to and following the offender's release to the CRC.

25. Regular in-house counselling sessions between the CRC staff and the resident be established to assist in the pursuit of their release program.

RESPONSE

The Task Force agrees with regular in-house counselling in those cases where counselling is considered a part of the CRC service being purchased. Most CRC's are expected to provide such sessions, but in some cases, the contract is clear that the CRC is only expected to provide room and board to the offender whose need for counselling is met through other community programs. The CSC will continue to monitor agencies' compliance and will assist in the process where necessary. This too is an area covered by the draft CRC standards now being discussed with CRC operators.

26. The CRC be subjected to an annual audit by a body independent of the local office of the CSC coupled with an ongoing local office evaluation.

RESPONSE

The Task Force agrees that audits should be regularly and independently conducted. The Correctional Service of Canada will ensure an annual audit is conducted by an internal but independent body (i.e. from outside the area where the CRC is located) as well as ensuring ongoing monitoring by the local parole office. The audit will be facilitated by the incorporation of CRC standards into contractual agreements.

27. The CRC must have access to all appropriate psychological and medical services. All residents shall be provided with an O.H.I.P. number to ensure their access to appropriate medical care.

RESPONSE

The Task Force agrees that all CRC residents should have access to all psychological and medical services they require.

Under current federal and provincial legislation, CRC residents across Canada who are subject to full parole or mandatory supervision are eligible for registration under provincial health care plans. However, provincial residency requirements are often an impediment to registration immediately upon release. The Task Force recommends that this problem area be reviewed with provincial authorities, to ensure that no inmate released under these circumstances is denied immediate and full access to health care.

CRC residents who are subject to day parole are generally not eligible for provincial registration, but are provided with access to all necessary medical services by the CSC. While the Task Force is of the view that this process adequately meets the health care needs of day parolees, it may not provide the same ease of access and freedom of choice which other community members have. The Task Force recommends that the issue of provincial registration be discussed with provinces to ensure the best possible procedure. The Task Force further recommends that the Solicitor General for Ontario be contacted immediately with regard to that portion of the recommendation specifically making reference to Ontario.

The Task Force has consulted with officials of the Department of Health and Welfare, which has responsibility for the Canada Health Act. They have offered their support in developing and undertaking a consultation process with the provincial health ministries. The next meeting of the Deputy Ministers of Health (December 1987) has been identified as a possible venue for discussion of options for resolution of residency issues and revisions of the registration eligibility of day parolees.

28. Notice of the Parole Hearing must be given to the victims, relatives of the victims and police. These persons should also be advised of the decision and reasons for it.

RESPONSE

The Task Force believes that in many cases victims do not wish to be further involved in and reminded of the criminal act that harmed them. It would be inappropriate to automatically contact them in every case. Current NPB policy is to provide victims with notification of hearings and decisions where they have registered a request for such information. The key element, then, is ensuring that victims are aware early in the process that they have the right to make such a request. NPB is currently finalizing work on a victims information pamphlet, which will be ready for distribution by end of summer 1987.

Present NPB policy is to solicit the views of the investigating police force prior to parole consideration. Views of police in the community to which the offender may be paroled are sought during the community assessment process when preparing the release plan.

29. A task force be formed to re-examine the goals of the Criminal Justice system. Such a task force should be composed of members from the office of the Chief Justice, Solicitor General, National Parole Board, Correctional Service of Canada, Crown Attorney and Association of Canadian Police Chiefs.

RESPONSE

The Task Force believes that the objective of considering the goals of the Criminal Justice system will be met through the review of the Canadian Sentencing Commission Report, led by the Minister of Justice, and the Correctional Law Review, led by the Solicitor General. These reviews involve extensive consultations with provincial officials, professional groups and the private sector and are closely related to the work of the Law Reform Commission of Canada. The Task Force also believes that the plans of the House Standing Committee on Justice and Solicitor General to initiate a comprehensive review of sentencing, prisons, and conditional release in the fall of this year will serve to meet the spirit of the recommendation.

The Task Force therefore recommends that these mechanisms be actively pursued to resolve outstanding issues and to increase cooperative efforts in identifying potential problem areas as well as avenues for their resolution. The Task Force further recommends that the Ministry extend its fullest cooperation and support to the review to be initiated by the House Committee.

ANNEX "B"

DRAFT TERMS OF REFERENCE
MINISTRY SENTENCE MANAGEMENT REVIEW

RATIONALE:

The areas of concern identified by the recommendations of the inquest jury are intricately inter-related and inter-dependent parts of the sentence management process. The concerns that have been raised are shared by the Task Force which has taken or recommended immediate steps to make improvements in these areas as quickly as possible. In addition a number of other improvements are possible, but must be considered together, taking enough time to analyze the interaction between the various components of the system that must be involved.

In addition to measures that have already been or are to be introduced immediately, a number of short- to long-term initiatives are now underway to bring about improvements in line with the jury recommendations. These initiatives must be collectively reviewed and their combined impact on areas in need of improvement examined, to identify additional measures to be implemented. This further review will require a longer period of time to complete and to effectively implement its recommendations.

It is, therefore, recommended that the Deputy Solicitor General convene a steering committee to conduct a Review of Sentence Management Policies and Programs. Supported by a project team of CSC, NPB and Secretariat officials, the steering committee would recommend and plan medium to long term improvements to the case management, parole decision-making and community supervision areas; and to report to the Solicitor General within 6 months, according to the proposed terms of reference which follow.

COMPOSITION:

Steering Committee: Deputy Solicitor General (Chair)
Commissioner of Corrections
Chairman of the National Parole Board

Work Group: representation from: Secretariat (Chair)
CSC
NPB

REPORTING TO: Solicitor General

TIME FRAME: To report six months after commencement

MANDATE:

Under the general direction of a Steering Committee composed of the Deputy Solicitor General, the Commissioner of Corrections, and the Chairman of the National Parole Board, the Review is directed to:

1. Investigate and make recommendations concerning the means by which improvements could be made to the system and processes by which decisions are made and carried out in the reception, classification and assessment, inmate program planning and involvement, release and post-release supervision and assistance of offenders (inmates and parolees). More particularly, to make recommendations concerning:

   - improvements in the accuracy, completeness and timeliness of information about the offender from all relevant sources and at all critical stages;

   - refinements to existing processes and aids for assessing an offender's initial and ongoing risk and needs;

   - improvements to offender case planning, with particular reference to ensuring continuity in the fulfillment of identified offender needs throughout the course of the sentence;

- enhancements in existing programs to meet the offender's needs and decrease or manage his risk to society, both in the institution and in the community;

- the need for new or expanded programs to meet the offender's needs and decrease or manage his risk to society, both in the institution and in the community;

- development of guidelines for release decision-making, including initial release and suspension/revocation;

- a process by which to involve NPB in release planning, clear communication of reasons for decision and special conditions, and for ongoing consultation;

- ensuring clarity and timeliness in communication within and among agencies, both governmental and non-governmental, involved in the case, and in particular ensuring that all relevant information about an offender is shared with concerned agencies, within the limits established in the Privacy and Access to Information legislation, and that decisions, roles and expectations are fully understood by all.

2. Assess the costs and likely impact of all recommendations on the reception, case management, treatment, transfer, release and post-release supervision processes.

3. Develop a plan for the implementation of its recommendations.

4. Undertake appropriate consultations with government and non-government representatives outside of the Ministry of the Solicitor General, particularly with the voluntary sector and contracting agencies who participate in the sentence management process.